

Amendments to Senate Bill No. 108
1st Reading Copy

Requested by Senator Vicki Cocchiarella

For the Senate Business, Labor, and Economic Affairs Committee

Prepared by Pat Murdo
January 17, 2007 (7:34am)

1. Title, line 11.

Following: "DRUGS;"**Insert:** "PROVIDING FOR UTILIZATION AND TREATMENT GUIDELINES TO BE
ESTABLISHED BY RULE;"

2. Title, line 19.

Following: ";"**Strike:** "AND"**Following:** the second "MCA"**Insert:** "; AND PROVIDING AN EFFECTIVE DATE"

3. Page 11.

Following: line 19**Insert:** "(2) (a) The department may establish by rule evidence-based utilization and treatment guidelines for primary and secondary medical services.

(b) An insurer is not liable for treatment or services that do not fall within the utilization and treatment guidelines adopted by the department unless the provider obtains prior authorization from the insurer.

(c) At the request of the provider or claimant, any treatment or services denied by the insurer pursuant to this subsection (2) must be evaluated and a report issued by a medical provider or panel of medical providers as established by the department by rule and provided by the department.

(d) If a dispute remains following receipt of the report, the provider, claimant, or insurer may upon written application request a hearing before the department.

(e) The decision of the department is appealable to the workers' compensation court and is not a trial de novo. The denial of medical treatment or services under this section are not subject to mediation."

Renumber: subsequent subsections

4. Page 11, line 23.

Following: "schedule."

Insert: "Until the department adopts a fee schedule applicable to medical services provided by an institution, insurers shall pay at the rate payable on June 30, 2007, for those services provided by an institution. The rate must be adjusted by the annual percentage increase in the state's average weekly wage, as defined in 39-71-116, factoring in changes in the institution's medical service charges."

5. Page 12, line 24.

Strike: "(7)"

Insert: "(8)"

6. Page 12, line 30.

Strike: "(7)(a)"

Insert: "(8)(a)"

7. Page 14, lines 18 through 20.

Following: the first "the" on line 18

Strike: "prevailing"

Insert: "Montana statewide"

Following: "hourly" on line 18

Insert: "mean"

Following: "department in" on line 18

Strike: "the edition" on line 18 through "the" on line 19

Following: "Occupation" on line 19

Strike: remainder of line 19 through "the" on line 20

Insert: "and adopted annually by the department. The"

Following: "day" on line 20

Insert: "at the rate in effect at the time that the services are rendered"

8. Page 16, line 15.

Following: "."

Insert: "Pursuant to 33-28-205, a captive reciprocal insurer may not be a member of an insurance guaranty association or guaranty fund."

9. Page 19.

Following: line 25

Insert: "NEW SECTION. Section 18. {standard} Effective date. [This act] is effective July 1, 2007."

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